

HOUSE BILL 3997

By Ferguson

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 4, Part 9, relative to postsecondary  
financial assistance from net lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-4-913, is amended by deleting the section in its entirety and by substituting instead the following:

§ 49-4-913.

Except as set forth in § 49-4-919, a student may receive a Tennessee HOPE scholarship until the first of the following events:

- (1) The student has earned a baccalaureate degree; or
- (2) The student has been enrolled at any postsecondary institution for five (5) full-time equivalent years.

SECTION 2. Tennessee Code Annotated, Section 49-4-919(a), is amended by deleting subdivisions (1), (2) and (3) in their entireties and by substituting instead the following:

- (1) The student has earned a baccalaureate degree; or
- (2) The student has been enrolled at any postsecondary institution for five (5) full-time equivalent years.

SECTION 3. Tennessee Code Annotated, Section 49-4-920(f), is amended by deleting subdivisions (1), (2) and (3) in their entireties and by substituting instead the following:

- (1) The student has earned a baccalaureate degree; or
- (2) The student has been enrolled at any postsecondary institution for five (5) full-time equivalent years.

SECTION 4. Tennessee Code Annotated, Section 49-4-911, is amended by deleting the section in its entirety and by substituting instead the following:

§ 49-4-911.

(a) To continue to receive a Tennessee HOPE scholarship, a student shall continue to meet all applicable requirements for the scholarship and shall reapply for the scholarship at the end of the semester in which the student has attempted a total of twenty-four (24), forty-eight (48), ninety-six (96), and one hundred twenty (120) semester hours. At the end of the semester in which the student has attempted a total of twenty-four (24) semester hours, the student shall achieve a cumulative grade point average of at least 2.75 to continue to receive the Tennessee HOPE scholarship. At any review of academic eligibility subsequent to the first review, the student shall achieve a cumulative grade point average of at least 3.0 to continue to receive the Tennessee HOPE scholarship.

(b) A student receiving a Tennessee HOPE scholarship, who ceases to be academically eligible for the scholarship because the student fails to achieve the cumulative grade point average required at the end of a semester in which academic eligibility is reviewed, may regain the HOPE scholarship, if the student continues to meet all applicable nonacademic requirements for the scholarship, attends an eligible postsecondary institution without the HOPE scholarship, achieves a cumulative grade point average of at least 3.0 at the end of any semester in which eligibility would have been reviewed under this section had the student not lost the scholarship, and reapplies for the scholarship. A student who regains the scholarship and then loses the scholarship a second time, by failing to achieve a cumulative grade point average of at least 3.0 at the end of a subsequent semester in which academic eligibility is reviewed, may not regain the scholarship. No retroactive award of a Tennessee HOPE scholarship shall be made under this subsection (b) for semester hours attempted in order to regain the scholarship.

(c) If a student ceases to be eligible for a Tennessee HOPE scholarship at any time for any nonacademic reason, then such student shall not be able to regain the Tennessee HOPE scholarship.

(d) Notwithstanding the provisions of subsections (a) and § 49-4-902(28) to the contrary, a student may choose to repeat one (1) course one (1) time, and have such student's cumulative grade point average, for the purposes of determining whether the student meets the continuation requirements of subsection (a), calculated as if the only attempt at the course was the attempt in which the highest grade was achieved. Only one (1) course may be repeated for favorable treatment in calculating the grade point average under this subsection (d). TSAC shall promulgate rules and regulations to effectuate the purposes of this subsection (d). All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 5. Tennessee Code Annotated, Section 49-4-916(e), is amended by deleting the language "under § 49-4-911(c)," and substituting instead the language "under § 49-4-911(b),".

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to students seeking postsecondary financial assistance from net lottery proceeds for academic year 2008-2009 and academic years thereafter.